

COMMITTEE AMENDMENT FORM

DATE: 2/27/08

COMMITTEE	<u>ZONING</u>	PAGE NUM. (S)
ORDINANCE I. D.	<u>#07-O-1914</u>	SECTION (S)
RESOLUTION I. D.	<u>#08-R-</u>	PARA.

AMENDS THE LEGISLATION BY ADDING FOUR (4) CONDITIONS ONE OF WHICH IS A SITE PLAN RECEIVED BY THE BUREAU OF PLANNING 8/7/07.

AMENDMENT DONE BY COUNCIL STAFF 2/27/08

City Council
Atlanta, Georgia

07-O-1914

AN AMENDED ORDINANCE
BY: ZONING COMMITTEE

Z-07-86
Date Filed: 8-7-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1464 Simpson Road, N.W.**, be changed from the C-1-C (Community Business-Conditional) district to the MRC-1-C (Mixed Residential Commercial-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 142, 14th District, Fulton County, Georgia, being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

Conditions for Z-07-86 for 1464 Simpson Road, N.W.

1. The floor area ratio shall not exceed 0.61.
2. The maximum height shall be 40 feet.
3. Site plan titled "1464 Simpson Road" and marked received by the Bureau of Planning on August 7, 2007. The site plan is not intended to prohibit the application of the district regulations.
4. Liquor stores are a prohibited use.

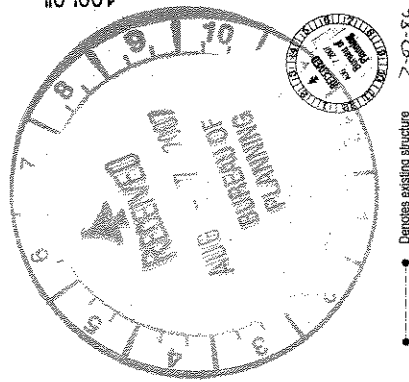
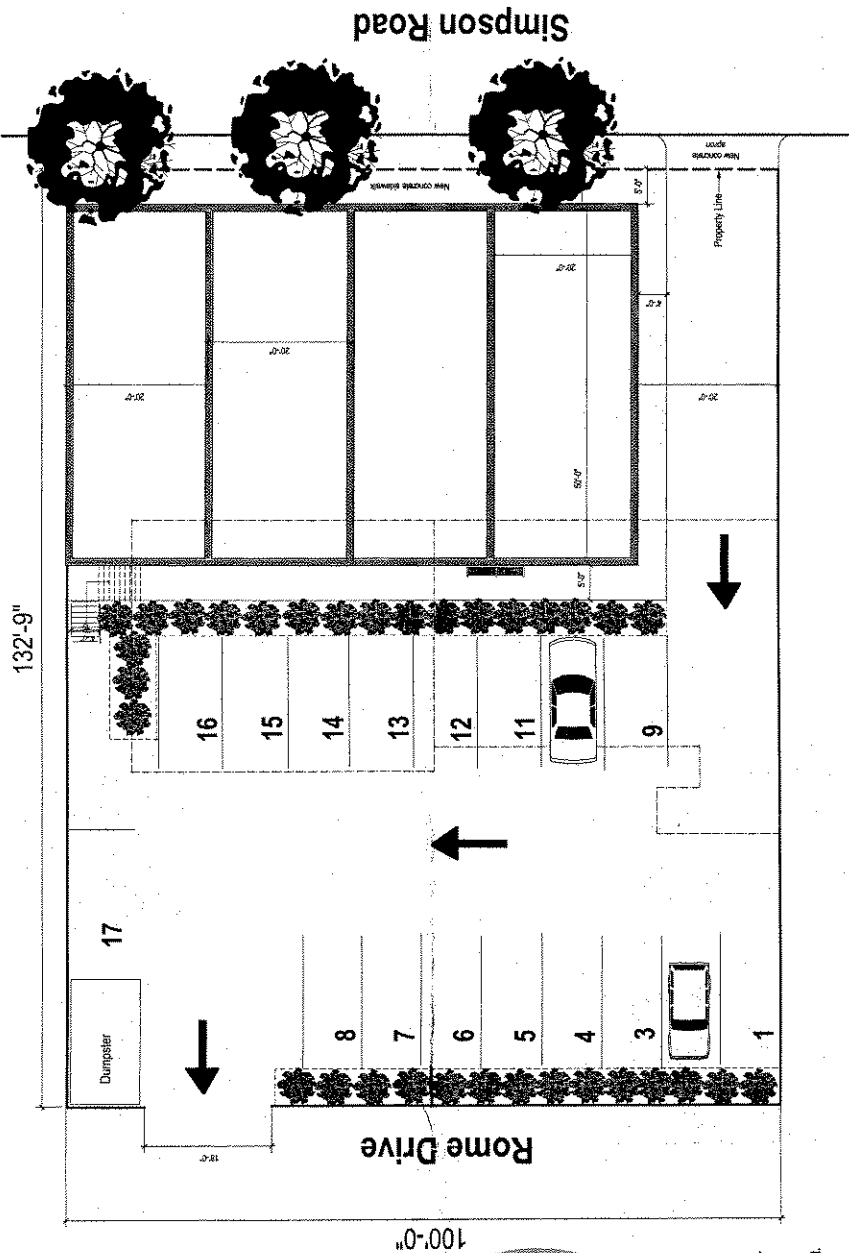
1464 Simpson Road
Atlanta, GA 30314

Site Plan in Support of Application to Rezone
from C-1-C to MRC-1

Neeki Properties, LLC
Kaveh Kamoonieh
404 370 1898 office
770 490 4871 cell
404 963 5231 fax
kk57@columbia.edu



Z-07-86



Two (2) story building proposed with a footprint of 4000 sq ft.

- Parking**
Downstairs:
Four (4) 1000 sq ft retail spaces = 4000 sq ft
Maximum one (1) restaurant space = 1000 sq ft
Required: one (1) parking space per 100 sq ft = ten (10) parking spaces
Provided: ten (10) parking spaces
- Minimum of three (3) other retail spaces = 3000 sq ft
Required: one (1) parking space per 600 sq ft = five (5) parking spaces
Provided: five (5) parking spaces
- Upstairs:**
Four (4) 1000 sq ft office spaces = 4000 sq ft
Required: no minimum
Provided: two (2) parking spaces

Scale: 1/8"

City Council
Atlanta, Georgia

07-0-1914

AN ORDINANCE
BY: ZONING COMMITTEE

Z-07-86
Date Filed: 8-7-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1464 SIMSPON ROAD, N.W.** be changed from the C-1-C (Community Business-Conditional) District to the MRC-1 (Mixed Residential Commercial) District, to wit:

ALL THAT TRACT or parcel of land lying in Land Lot 142 14th District, Fulton County, Georgia .being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffice "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

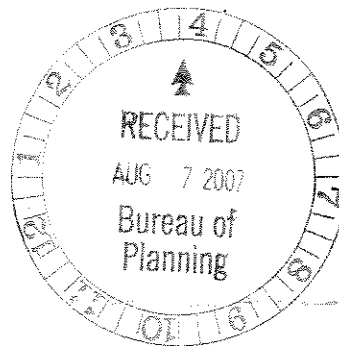
SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

EXHIBIT "A"

All that tract or parcel of land lying and being in Land lot 142 of the 14th District, Fulton County, Georgia, being Lot 17, Block 62, Hunter Terrace Subdivision, Property of Hunter Hills, Inc., according to plat by L.H. Fitzpatrick, C.E., dated August 1938 - June 1940, a copy of which is on file in the Office of Atlanta Title Company, and being more particularly described as follows: Beginning at a point on the south side of Simpson Street 150 feet east from the southeast corner of Simpson Street and Childs Drive, and running thence east along the south side of Simpson Street 50 feet to the northwest corner of Lot 16, said Block and Subdivision, thence south along the west line of said Lot 16, 130.7 feet to the north line of Rome Drive; thence west 50 feet to the southeast corner of Lot 18, said Block and Subdivision; thence north along the east line of said lot 18, 132.4 feet to the south side of Simpson Street and the point of Beginning, being property commonly known as 1464 Simpson Road, Atlanta, GA 30314.

Together with, all that tract or parcel of land lying and being in Land Lot 142 of the 14th District, Fulton County, Georgia, and being more particularly described as follows: Beginning on the north side of Rome Drive 100 feet east from the northeast corner of Rome Drive and Childs Drive, said point being the southeast corner of Lot 19, Block 62, of the Subdivision hereinabove referred to; thence east along the north side of Rome Drive 50 feet to the southwest corner of Lot 17 in said Block and Subdivision; thence north along the west line of said Lot 17, 132.4 feet to the south side of Simpson Street, thence west along the south side of Simpson Street 50 feet to the northeast corner of Lot 19, said Block and Subdivision; thence south along the east side of said lot 19, 134.1 feet to the north side of Rome Drive and the point of beginning.



7-07-86

RCS# 1454
9/17/07
3:07 PM

Atlanta City Council

SPECIAL SESSION

MULTIPLE 07-O-1913,1914,1915,1916,1917,1918,1919
07-O-1920,1921,1922,1923,1924
REFER ZRB/ZONE

YEAS: 10
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 1
ABSENT 4

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	B Martin	Y Norwood
Y Young	B Shook	B Maddox	Y Willis
E Winslow	Y Muller	B Sheperd	NV Borders

MULTIPLE